

Appl. No. 09/590,758
Amdt. dated June 6, 2003
Reply to Office Action of March 5, 2003

PATENT

REMARKS/ARGUMENTS

Claims 1-20 were pending. Claims 1-20 were previously rejected as anticipated under 35 USC 102(e) by Hanson et al. U.S. Pat. No. 6,014,427 (Hanson).

In light of the following remarks, the undersigned respectfully requests withdrawal of the objections of the pending claims.

I. The present invention

The present invention relates to systems and methods for allowing voice mail users to make outbound calls while within the voice mail system. In the embodiments described, these outbound calls are traditional voice calls, see p. 11, lines 14-28.

The embodiments described in the specification assume a caller is calling her own voice mail system. According to the embodiments, in step 400, the caller desires to make an outbound telephone call. As illustrated in Fig. 3B, a dial tone is provided to the caller in step 420, in this embodiment. In response, the caller dials a telephone number, or otherwise provides dialing instructions, step 420. The telephone number is then dialed, step 450.

For example, Claim 1 recites the limitations of receiving a request from the caller to initiate an outbound call, saving a state of the voice mail server in response to the request, receiving a telephone number from the caller, and processing the telephone number to make the outbound call.

II. Hanson

Hanson describes a voice mail system that is sponsored by a telemarketer. This is an important distinction, as will be discussed below. Hanson describes that the telemarketer creates voice mail advertisements (messages) that have caller-selectable options. These voice mail advertisements are stored in voice mailboxes that are allocated to potential or existing customers.

The invention described in Hanson seems dubious, because, how many potential customers will actually pick up a telephone to *call* a telemarketer? Hanson assumes a customer that is invited to call the telemarketer calls and retrieves advertisements. Hanson describes that the advertisement messages can provide the customer with selectable actions.

Several actions are described in Hanson. For example, col. 6, line 54 - col. 7, line 44 describes some actions that are available. These include, type 1 for opinion polling, type 2 for caller return address information, type 3 for receiving additional audio information, type 4, for pre-paid reply messages, type 5 for making a return call to a "customer order hotline," and type 6 to enter numeric data (e.g. credit card number.)

In Hanson, these actions are primarily for the benefit of the telemarketer, not the customer. For example, for type 5 actions, the caller is not free to enter a telephone number. Instead, the caller has only the option to contact a telemarketing preprogrammed number. For example, Hanson states:

An example highlighting this particularly inventive feature is a sports retailer who is promoting a sale on golf clubs. The action message may include general information about price and features of the promoted clubs and then give

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as one of several pre-defined responses "press 1 if you would like to be transferred to our customer hotline." Col. 7, lines 26-32.

In Hanson, it is important to limit the caller's action, because the customer is not calling into her voice mail system. Again, the customer is calling into the telemarketers voice mail system. For type 5 actions, the telemarketer will of course restrict the customer's action and not let a customer make any telephone call she desires. Instead, for type 5 actions, the telemarketer will only allow the customer the limited ability to initiate a return call to the telemarketer's pre-programmed telephone number.

III. Hanson Distinguished

Claim 1 is not anticipated by Hanson.

The method recited in claim 1, as amended, includes receiving a request from the caller to initiate an outbound call. Claim 1 also includes the separates step of receiving a telephone number from the caller, and processing the telephone number to make the outbound call.

In contrast, as described above, in Hanson, the caller does not enter a telephone number. At best, in Hanson, the caller makes a request to be connected with a telemarketer's programmed number. The Hanson system is thus restrictive.

It would not be obvious to modify Hanson to allow a customer to freely dial a telephone number, because the voice mail system still belongs to the telemarketer. It is not imaginable where a telemarketer would invite customers to call into their system to allow them to make free telephone calls! Such an option would quickly put a telemarketer out of business.

Accordingly, because Hanson does not disclose claim 1 limitations of receiving a request from the caller to initiate an outbound call, and separately receiving a telephone number from the caller, and processing the telephone number to make the outbound call, Hanson does not anticipate or make obvious claim 1 for at least these reasons.

Claims 8 and 14 are also not anticipated by Hanson, for at least the same reasons as claim 1 above, and more particularly, for the specific limitations they recite.

Dependent claims 2-7, 9-13, and 15-20 are also not anticipated by Hanson, for at least the same reasons as the respective dependent claims, and more particularly, for the specific limitations they recite.

CONCLUSION

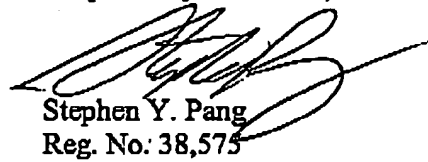
In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

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